UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,147	01/05/2001	Bas Ording	P2428USX-722	3465

21839   7590   04/22/2003

BURNS DOANE SWECKER & MATHIS L L P
POST OFFICE BOX 1404
ALEXANDRIA, VA   22313-1404

EXAMINER
PADMANABHAN, MANO

ART UNIT	PAPER NUMBER
2671	11

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.		Applicant(s)
Office Action Summary	09/754,147		ORDING, BAS
	Examiner		Art Unit
	Mano Padmanabhan		2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 February 2003</u> .

2a)☒ This action is **FINAL**.　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5,7,8,10-17 and 19-29</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5,7,8,10-17 and 19-29</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>10</u> .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: .

DETAILED ACTION

Status of claims

Claims 1-5, 7-8, 10-17, 19-29 are in the Application.

Claims 6, 9, 18 have been cancelled by applicants amendment.

Claims 1-5, 7-8, 10-17, 19-29 are rejected.

Response to Amendments

Applicants arguments filed on 2/20/2003 (paper #9) in response to the office action

mailed on 11/20/2002 have been fully considered, but they are not persuasive. Therefore, the

rejections made in the previous office action are maintained, and restated below.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-5, 7-8, 10, 20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated

by Chang et al (Animation : From Cartoons to the User Interface : 1993 : ACM 0-89791-628-

X/93/0011).

As per claim 1, Chang teaches a method for moving an object in a graphical user

interface, comprising the steps of:

a) determining a path of movement for the object along at least one axis, and a period of time for the movement along said path (Fig.8: starting and ending positions; fig.9);

b) establishing a non-constant velocity function along said axis for said period of time (page 51: slow-in and slow-out movement with faster movement in the middle);

c) calculating an instantaneous position for the object along said path in accordance with said function and the relationship of a current time value to said period of time (fig.8 and fig.9);

d) displaying said object at said calculated position (fig.8 and fig.9); and

e) iteratively repeating steps (c) and (d) during said period of time (fig.8 and fig.9).

As per claim 2, Chang teaches a non-linear function for velocity (fig.8; fig.9; page 51: slow-in slow-out).

As per claim 3, Chang implicitly teaches the function being a sinusoidal function, since Chang teaches the velocity of the object increases gradually to a maximum value in the slow-in phase, and then decreases gradually, similar to a sine function.

As per claim 4, Chang teaches the steps of: determining the amount of time that has elapsed since the beginning of said period of time, and determining the instantaneous position of the object along said path (fig. 8 & fig. 9; page 51). As per calculating the ratio of said elapsed amount of time to the total duration of said period of time, and applying said ratio to said function to determine a translation factor; and using the translation factor to determine the

instantaneous position of the object such is known as taught by Chang, since Chang displays

translation from initial position to current position based on time, distance and velocity.

As per claim 5, Chang teaches a method for moving an object in a graphical user

interface, comprising the steps of: identifying a starting location for the object; selecting a final

location for the object (fig.8: beginning and final pose; fig.9); displaying said object at

sequential positions along a path from said starting location to said final location at increments of

time (fig.8; fig.9), such that the distance between successive positions varies so that the object

appears to be moving at a changing velocity (fig.8, fig.9).

Claims 7 are similar to claims 3, and hence are rejected with the same rationale.

Claims 8,10 are similar to claims 5,7, and hence are rejected with the same rationale.

Claim 20 is a user interface claim for a combination of claims 1 and 2, and hence is

rejected with the same rationale as claims 1 and 2.

Claim 21 is a user interface claim for claim 3, and hence is rejected with the same

rationale.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C.103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
>
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
>
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 14-16, 17, 19, and 25-26 are rejected under 35 U.S.C.103(a) as being unpatentable over Chang et al (Animation : From Cartoons to the User Interface : 1993 : ACM 0-89791-628-X/93/0011).

Claims 14-16, 17, 19, and 25-26 are program medium and system claims for the method claims of 1-3, and 5, 7 respectively, and hence are rejected with the same rationale, as it would have been obvious to have a storage medium to store the program of the method, and a system to execute such programs.

5.   Claims 11, 22, and 27 are rejected under 35 U.S.C.103(a) as being unpatentable over Chang et al (Animation : From Cartoons to the User Interface : 1993 : ACM 0-89791-628-X/93/0011), as applied to claims 8, 20, and 25 respectively, and further in view of IBM TDB article ("Window Closing Animations": IBM Technical Disclosure Bulletin, US, IBM Corp, NY; 1 Nov. 1995; ISSN 0018-8689).

As per claim 11, IBM TDB article teaches user action of minimizing a window, and animations for minimizing a window. Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the animation for minimizing the window in the invention of Chang, in order to provide effective feedback on user action.

Claims 22 and 27 are similar to claim 11, and hence are rejected with the same rationale.

6.   Claims 12, 13, 23, 24, 28, and 29 are rejected under 35 U.S.C.103(a) as being

unpatentable over Chang et al (Animation : From Cartoons to the User Interface : 1993 : ACM

0-89791-628-X/93/0011), as applied to claims 8, 20, and 25 respectively, and further in view of

Ellison-Taylor (US 5,796,402).

        As per claims 12 and 13, Ellison-Taylor teaches a tiling program that aligns the windows

based on the relative position and size of the windows when the request is made (Col.3: lines 27-

48), thus teaching implicitly the moving of objects in a series toward the space occupied by the

removed object when an object is removed, and away from the inserted object when an object is

inserted. It would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the tiling of Ellison-Taylor in the invention of Chang, so that the objects

may be displayed in their final positions without overlap, so that all the objects in the display

area are visible to the user concurrently.

        Claims 23-24, and 28-29 are similar to claims 12-13, and hence are rejected with the

same rationale.

Response to Arguments

        Applicant's arguments filed on 2/20/2003 have been fully considered, but they are not

persuasive.

        As per Applicants argument regarding claim 1, that there is no disclosure in Chang about

how the varying distance between the respective objective positions is determined, and that

Chang does not disclose the concept of using periods of time or current values of time as factors,

and that the varying positions of Chang may be achieved by distance alone, and that the velocity

function and time calculation do not necessarily flow from Chang, it is noted that such is

illustrated in Fig.1 wherein the position is based on time and velocity.

As per applicants argument that Chang does not disclose that the movement of an object

is independent of the speed of the processor, it is noted that this has not been claimed.

As per applicants argument regarding claim 5, that Chang fails to teach the step of

displaying the object at sequential positions along a path from a starting location to a final

location at increments of time, such that the distance between successive positions varies in

accordance with a non-linear function, it is noted that fig.8 and 9 display sequential positions of

object along a path at increments of time, based on a non-linear function of velocity, as is further

illustrated by fig.1, and as explained above.

As per applicants argument regarding claim 20, that Chang fails to disclose a user-

interface that includes selecting a period of time during which movement is to occur, and moving

the object at a non-linear rate of movement during said period of time, it is noted that Chang

discloses position as a function of velocity and time (fig.1), and also illustrates the effect of

variations of velocity on a position for a specified time, while also teaching a non-linear velocity

function for the duration of the movement as illustrated in fig.8,wherein the object moved from a

starting location to a final location.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

will the statutory period for reply expire later than SIX MONTHS from the mailing date of this

final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Mano Padmanabhan whose telephone number is 703 306-2903.

The examiner can normally be reached on Mon-Thurs: 7-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mark Zimmerman, can be reached at 703 305-9798.

Any response to this action should be mailed to:

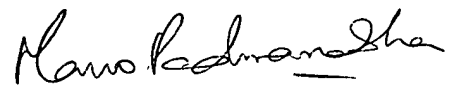Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Technology Center 2600 Customer Service Office whose telephone

number is (703) 306-0377.

Mano Padmanabhan

AU 2671

April 18, 2003